

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THOMAS MATTHEWS, individually and on :
behalf of a class of all persons and entities :
similarly situated, :

Plaintiff, :

v. :

GERBER LIFE INSURANCE COMPANY, :
and JOHN DOE CORPORATION, doing :
business as Legacy Quote, :

Defendants. :
-----X

ORDER

23 CV 552 (VB)

Defendant Gerber Life Insurance Company's motion to dismiss the first amended complaint pursuant to Rule 12(b)(6) (Doc. #18) is DENIED.

A case management conference is scheduled for **December 21, 2023, at 10:00 a.m.**, at which time the Court will issue a bench ruling explaining the basis for its decision. This conference will also serve as an initial conference in this matter, for which the Court will separately issue a Notice of Initial Conference. The conference will take place in Courtroom 620 at the White Plains courthouse.

Gerber Life Insurance Company shall file an answer by December 13, 2023.

The Clerk is instructed to terminate the motion. (Doc. #18).

Dated: November 29, 2023
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge